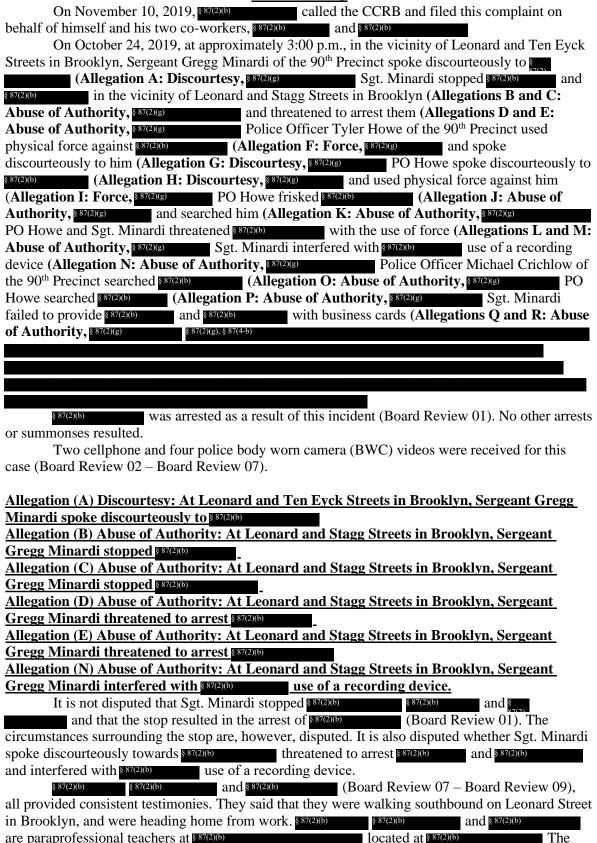
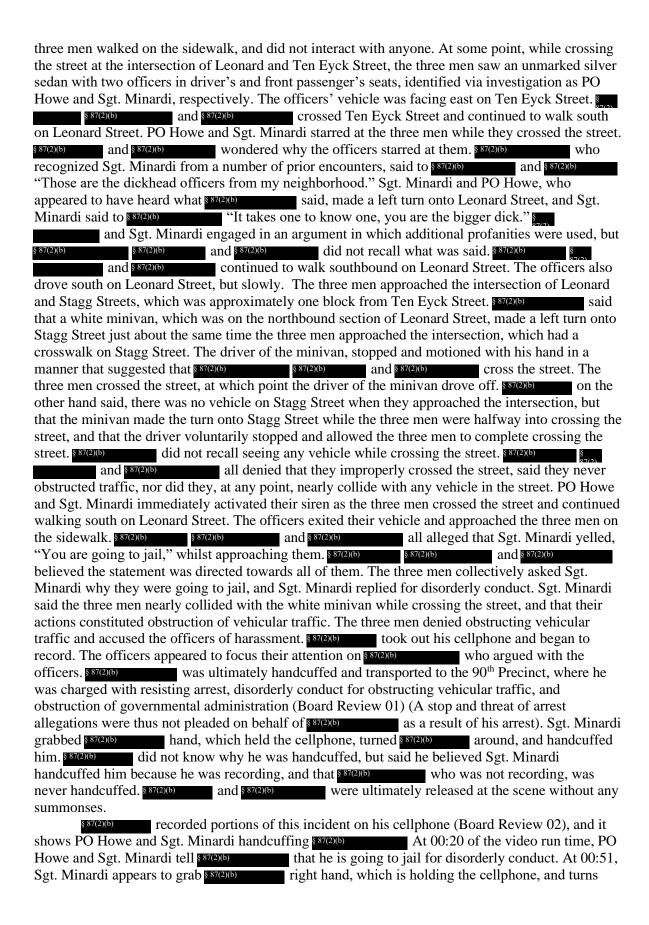
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	V	Force	<u> </u>	Discourt.	U.S.
Enoch Sowah		Squad #01	201909838	V	Abuse		O.L.	☐ Injury
Incident Date(s)		Location of Incident:		F	Precinct:	18	Mo. SOL	EO SOL
Thursday, 10/24/2019 3:00 PM, Thursday, 10/24/2019 3:05 PM		Leonard and Ten Eyck Streets in Brooklyn Leonard and Stagg Streets in Brooklyn			90	4/	24/2021	12/9/2021
Date/Time CV Reported		CV Reported At:	How CV Reported:		Date/Time	Rece	ived at CCI	RB
Sun, 11/10/2019 4:17 PM		CCRB	Phone		Sun, 11/10	/2019	4:17 PM	
Complainant/Victim	Type	Home Addre	ess					
Subject Officer(s)	Shield	TaxID	Command					
1. POM Tyler Howe	14840	961822	090 PCT					
2. SGT Gregg Minardi	00608	940475	090 PCT					
3. POM Michael Crichlow	20395	960083	090 PCT					
Witness Officer(s)	Shield N	o Tax No	Cmd Name					
1. POM Philippe Vukosa	22128	953542	090 PCT					
2. POM Daniel Manetta	11047	956069	090 PCT					
Officer(s)	Allegatio	on			Inve	stiga	tor Recon	nmendation
A.SGT Gregg Minardi		esy: At Leonard and Ter a, Sergeant Gregg Minar		usly	to			
B.SGT Gregg Minardi		at Leonard and Stagg Str inardi stopped [\$87(2)(b)	reets in Brooklyn, Se	erge	ant			
C.SGT Gregg Minardi		at Leonard and Stagg Str inardi stopped ^{\$87(2)(b)}	reets in Brooklyn, Se	erge	ant			
D.SGT Gregg Minardi	Abuse: A Gregg M	at Leonard and Stagg Str inardi threatened to arre	reets in Brooklyn, Se st ^{§ 87(2)(b)}	erge	ant			
E.SGT Gregg Minardi		at Leonard and Stagg Str inardi threatened to arre		erge	ant			
F.POM Tyler Howe		t Leonard and Stagg Stre Tyler Howe used physica						
G.POM Tyler Howe		esy: At Leonard and Stag fficer Tyler Howe spoke)			
H.POM Tyler Howe		esy: At Leonard and Stag fficer Tyler Howe spoke						
I.POM Tyler Howe		t Leonard and Stagg Stre Tyler Howe used physica						

Officer(s)	Allegation	Investigator Recommendation
J.POM Tyler Howe	Abuse: At Leonard and Stagg Streets in Brooklyn, Police Officer Tyler Howe frisked \$87(2)(6)	
K.POM Tyler Howe	Abuse: At Leonard and Stagg Streets in Brooklyn, Police Officer Tyler Howe searched § 87(2)(b)	
L.POM Tyler Howe	Abuse: At Leonard and Stagg Streets in Brooklyn, Police Officer Tyler Howe threatened § 87(2)(b) with the use of force.	
M.SGT Gregg Minardi	Abuse: At Leonard and Stagg Streets in Brooklyn, Sergeant Gregg Minardi threatened [887(2)(b)] with the use of force.	
N.SGT Gregg Minardi	Abuse: At Leonard and Stagg Streets in Brooklyn, Sergeant Gregg Minardi interfered with \$\frac{8.87(2)(b)}{2.87(2)(b)}\$ use of a recording device.	
O.POM Michael Crichlow	Abuse: At Leonard and Stagg Streets in Brooklyn, Police Officer Michael Crichlow searched § 87(2)(b)	
P.POM Tyler Howe	Abuse: At Leonard and Stagg Streets in Brooklyn, Police Officer Tyler Howe searched § 87(2)(b)	
Q.SGT Gregg Minardi	Abuse: Sergeant Gregg Minardi failed to provide with a business card.	
R.SGT Gregg Minardi	Abuse: Sergeant Gregg Minardi failed to provide with a business card.	
§ 87(2)(g), § 87(4-b)	§ 87(2)(g), § 87(4-b)	
§ 87(2)(g), § 87(4-b)	§ 87(2)(g), § 87(4-b)	
0.07(2)() 0.07(4.1)		
§ 87(2)(g), § 87(4-b)	§ 87(2)(g), § 87(4-b)	
0.07(2)() 0.07(4.1)	207/21/2007/41/2007/41/2007	
§ 87(2)(g), § 87(4-b)	§ 87(2)(g), § 87(4-b)	

Case Summary

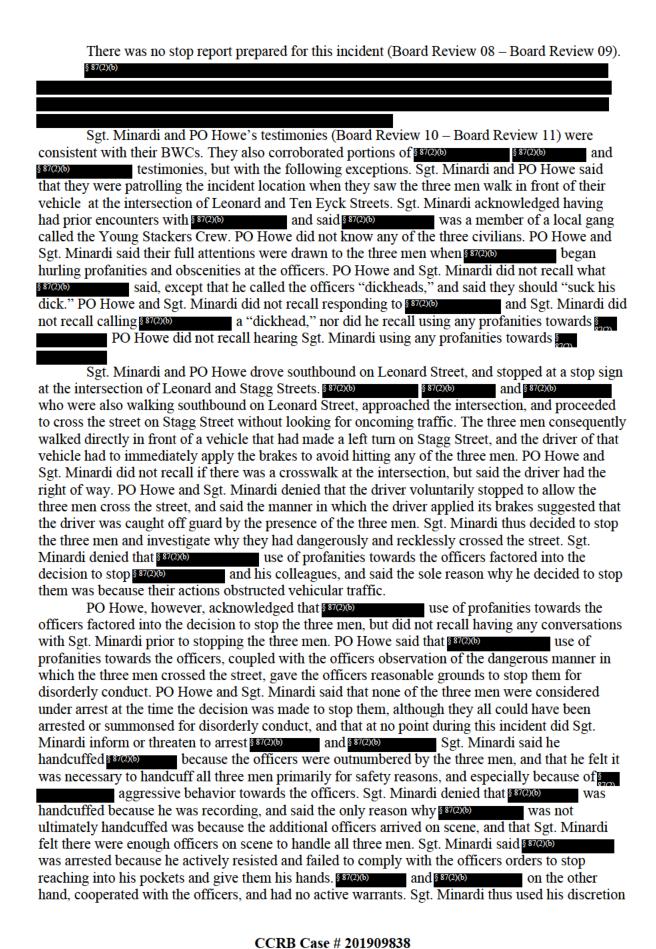




around. §87(2)(b) appears to put the phone in his left hand, at which point the footage ends. provided another cellphone video, which was recorded by an unidentified civilian, but the video only captures the conclusion of this incident (Board Review 03). Sgt. Minardi and PO Howe recorded portions of this incident on their BWCs. Their footage captures the same incident, but from different angles, and each begins with the officers approaching the three men on the sidewalk. PO Howe's BWC (Board Review 04) shows PO Howe exiting the police vehicle, and approaching a sidewalk on his left. Sgt. Minardi is already on the sidewalk, and has his hands stretched towards \$87(2)(b) and \$87(2)(b) identified via investigation, who are walking together. § 87(2)(b) is a few feet behind § 87(2)(b) and § 87(2)(b) is wearing what appears to be green cargo pants, a red T-shirt, and a grey sleeveless hoodie. § 87(2)(b) is wearing a blue hoodie and blue jeans, whereas \$87(2)(6) is wearing dark pants, what appears to be dark hoodie, and a dark puffer jacket. The three men stop walking, and appear to speak with Sgt. Minardi, but no audio is captured due to the 30-second buffer on the BWC. At 00:30, the audio engages, and captures what appears to be an argument between the two officers and § 87(2)(b) has his back against a metal fence with rails. At 00:50, PO Howe repeatedly tells § 87(2)(b) to stop reaching into his pockets. § 87(2)(b) and PO Howe are facing each other, and PO Howe appears to attempt to grab § 87(2)(b) l left arm. At 01:00 § 87(2)(b) appears to be tensing his body and pushing PO Howe's hands away from his body. At 01:08, PO Howe says to \$87(2)(b) "You are going to jail bro." At 01:19, Sgt. that he is being arrested for obstructing vehicular traffic. denies obstructing vehicular traffic and says the three men had the right of way. At 01:22, PO Howe and Sgt. Minardi turn \$87(2)(6) around and handcuff his left arm. At 01:25, appears to have wrapped his right arm around one of the metal bars of the fence, and does not comply with the officers orders to remove and give them his arm. At 02:00, PO Howe and Sgt. Minardi handcuff § 87(2)(b) Sgt. Minardi's BWC (Board Review 05), at 00:50, shows Sgt. Minardi approach who is holding his cellphone vertically in his right hand, and appears to grab and bring right hand behind his back. It is unclear if Sgt. Minardi takes \$87(2)(b) cellphone. At 01:00, Sgt. Minardi handcuffs \$87(2)(b) At 01:20, Sgt, Minardi approaches \$87(2)(b) and appears to be holding § 87(2)(b) arm. At 01:28, Police is standing next to \$87(2)(b) Officers Daniel Manetta, Michael Circhlow, and Philippe Vukosa, all identified via investigation, arrive on scene. At 02:00, § 87(2)(b) tells Sgt. Minardi that he did not say anything to the officers. Sgt. Minardi replies that they were not stopped because they were talking, but that the officers observed the three civilians walk right in front of a vehicle while crossing the street, and that the vehicle had to "stop short" to avoid hitting them. At 02:18, \$87(2)(b) denies that the vehicle stopped in order to avoid hitting them, and said the vehicle stopped before the three men got to the crosswalk. Sgt. Minardi tells \$\frac{87(2)(b)}{2} that the vehicle stopped because the three men were in the street. At 02:30, \$87(2)(b) replies, "That is not true." At 02:59, Sgt. Minardi tells \$87(2)(b) the stop has nothing to do with being called a dickhead, and that the three men obstructed vehicular traffic. At 04:11, Sgt. Minardi instructs PO Howe, PO Circhlow, and PO Vukosa, who are standing and § 87(2)(b) to warn and admonish them if they have no warrants. Sgt. Minardi then tells \$87(2)(b) to be careful when crossing the street. At 04:30, \$87(2)(b) is not. Sgt. Minardi informs \$87(2)(b) that he and why he is handcuffed, and § 87(2)(b) were both detained, that Sgt. Minardi felt the need to handcuff all three men due to aggression, and that Sgt. Minardi was about to handcuff \$87(2)(b) additional officers arrived. Sgt. Minardi, however, felt there was no need to handcuff because there were enough officers on scene. At 05:00, PO Howe removes \$87(2)(b) At 05:17, Sgt. Minardi tells \$87(2)(b) and \$87(2)(b) that they are being released with a warning rather than being issued a summons, and that the two men should be careful next time when crossing the street. At 06:20, \$87(2)(6) and § 87(2)(b)

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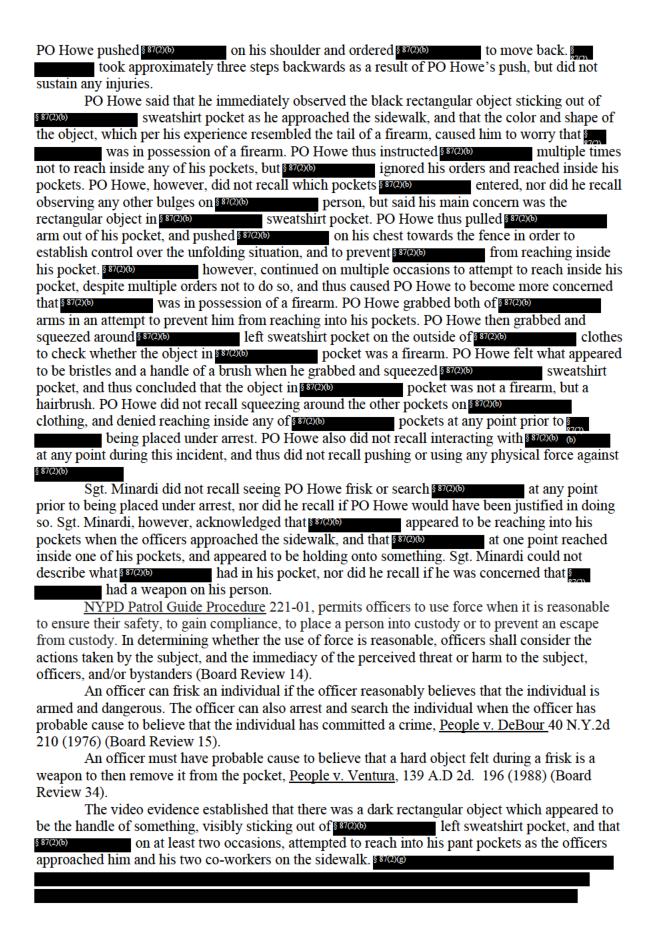


and § 87(2)(b) with a warning, rather than issue them summonses for obstructing vehicular traffic. A person is guilty of disorderly conduct when, with intent to cause public inconvenience, annoyance, or alarm, or recklessly creating a risk thereof obstructs vehicular or pedestrian traffic. New York State Penal Law§ 240.20(5) (Board Review 12). NYPD Patrol Guide Procedure 203-29, permits individuals to observe and record police activities. However, the right to record police activities, can be limited for reasons such as officer and civilian safety, or when a law enforcement action is being taken against the individual who is videotaping (Board Review 13). The cellphone and BWC videos do not depict anything that might have transpired prior to § 87(2)(b) and § 87(2)(b) Sgt. Minardi and PO Howe approaching § 87(2)(b) sidewalk, and thus does not establish whether Sgt. Minardi used profanities towards nor does it establish whether the three men crossed the street in a manner that obstructed vehicular traffic or constituted disorderly conduct. § 87(2)(g) Although none of the videos depict any of the officers making any statements about or \$87(2)(6) the BWC shows that Sgt. Minardi was the first to approach the three men on the sidewalk, and appeared to speak with them during the 30-seconds buffer of the BWC where no audio is captured. It is therefore possible that Sgt. Minardi during that buffer period made the alleged statement about taking the three men to jail. However, due to conflicting civilian and officers statements, and absent any additional evidence that establishes that committed a violation, the investigation could not determine by the preponderance of the evidence whether Sgt. Minardi threatened to arrest \$87000 and \$87000 or whether he would have been justified in doing do. Finally, § 87(2)(b) cellphone footage does not appear to show Sgt. Minardi taking cellphone from his right hand, and rather shows [870] placing the phone in his left hand, while Sgt. Minardi grabbed his right hand and turned him around and handcuffed him. The BWC footage is also consistent with Sgt. Minardi's testimony that \$87(2)(0) outnumbered the two officers, and that \$87(2)(6) pushed PO Howe's hands away, and refused to give the officers his hands when requested to do so. §87(2)(g)

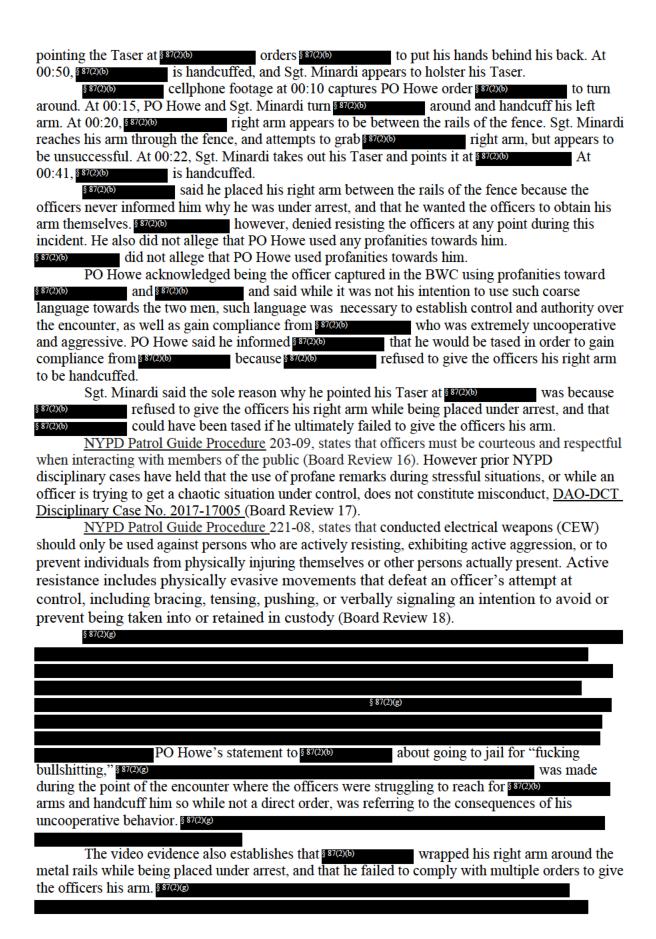
to release § 87(2)(6)

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Allegation (F) Force: At Leonard and Stagg Streets in Brooklyn, Police Officer Tyler Howe
used physical force against \$87(2)(b)
Allegation (I) Force: At Leonard and Stagg Streets in Brooklyn, Police Officer Tyler Howe
used physical force against § 87(2)(b)
Allegation (J) Abuse of Authority: At Leonard and Stagg Streets in Brooklyn, Police Officer
Tyler Howe frisked § 87(2)(b)
Allegation (K) Abuse of Authority: At Leonard and Stagg Streets in Brooklyn, Police Officer
Tyler Howe searched 887(2)(b)
It is not disputed that PO Howe used physical force against [887(2)(b)] It is, however,
disputed, whether PO Howe frisked, and searched \$87(2)(b) prior to \$87(2)(b) being
placed under arrest. It is also disputed if PO Howe used physical force against § 87(2)(b)
PO Howe's BWC (Board Review 04) at 00:17, shows him approach \$87(2)(6)
and Sgt. Minardi on the sidewalk. \$87(2)(b) who is wearing a grey
sleeveless sweatshirt, bent forward, and appears to be reaching into his cargo pants pockets. At
00:19, a black rectangular object appears to be sticking out of \$87(2)(6) right sweatshirt
pocket. At 00:20, \$87(2)(6) appears to attempt to put his right hand inside his back pant
pocket. At 00:22, PO Howe grabs \$87(2)(b) right arm, and appears to pull \$87(2)(b)
hand out of his pocket. At 00:22, PO Howe pushes \$87(2)(6) on his chest with both hands,
and \$87(2)(b) takes approximately three steps backwards. \$87(2)(b) leans against a
metal rail fence on the sidewalk. PO Howe places both hands on \$87(2)(b) chest, and
appears to hold \$87(2)(b) against the fence. \$87(2)(b) and PO Howe are facing each
other. At 00:31, the audio begins and PO Howe yells and orders \$87(2)(6) to stop reaching
into his pockets. It is unclear from the footage if \$87(2)(6) attempts to reach into his pockets
again. At 00:35, \$87(2)(6) appears to be holding a wallet and some money in his left hand. A
00:36, \$87(2)(b) shrugs PO Howe's hands off his body, and tells PO Howe not to touch him.
PO Howe, whose hands appear to be on the sides of \$87(2)(b) midsection, tells \$100.000 midsection, tel
that he wants to make sure \$87(2)(b) does not have any weapons. \$87(2)(b)
again tells PO Howe not to touch him, and that he does not have anything on him. At 00:48, says PO Howe cannot legally enter says PO Howe appears to be
moving his hand around \$87(2)(6) sweatshirt, but it is unclear if he reaches inside \$70.
pockets. At 00:53, PO Howe places his left hand on \$87(2)(b) chest, and tells
to stop moving and reaching into his pocket. At 01:00, PO Howe pushes
on his chest, and orders \$87(2)(b) to stop reaching into his pocket.
again appears to shrug PO Howe's hands off his body. At 01:10, PO Howe orders
to turn around, but \$87(2)(b) does not appear to comply. At 01:12, PO Howe and
Sgt. Minardi turn \$87(2)(6) around, and pin him against the metal rail. PO Howe grabs and
brings \$87(2)(b) left hand behind his back. At 01:47, PO Howe obtains \$87(2)(b)
right arm, and handcuffs him.
alleged that PO Howe grabbed his arm immediately as the officers
approached the sidewalk, and that he pushed PO Howe's hands away. PO Howe then attempted to
reach inside \$87(2)(b) pant pocket, but \$87(2)(b) again pushed PO Howe's hand
away, and told PO Howe not to touch or enter his pockets. \$87(2)(b) did not know why PO
Howe wanted to reach inside his pockets, said he only had his wallet inside his pocket, and denied
having any bulges on his person. PO Howe pushed \$57(2)(b) on his chest towards the metal
fence, and then reached his hands inside \$87(2)(6) pocket which contained
wallet. §87(2)(b) with a closed fist, punched PO Howe's hand out of his
pocket. He did not recall if PO Howe removed anything from his pocket, nor did he recall if PO
Howe reached inside any of his other pockets.
and \$87(2)(b) and \$87(2)(b) did not recall seeing any of the officers frisk or search
prior to \$87(2)(6) being handcuffed. \$87(2)(6) however, said that he
attempted to approach \$87(2)(b) while \$87(2)(b) was arguing with PO Howe, and that



from reaching inside his pocket, especially when PO Howe had yet to ascertain whether the object in pocket was a weapon. \$87000
PO Howe said that he determined the hard object in strong pocket to be a brush
after frisking \$87(2)(6) but \$87(2)(6) said PO Howe reached inside his pocket as soon as the officers approached, and that \$87(2)(6) only had a wallet in his pocket. \$87(2)(6)
as the officers approached, and that
However, PO Howe stated that did not enter into any of \$87(2)(6) pockets prior to
him being placed under arrest. It is unclear from the footage if PO Howe reached inside pockets prior to \$870,000 being placed under arrest.
pockets prior to socio
Allegation (G) Discourtesy: At Leonard and Stagg Streets in Brooklyn, Police Officer Tyler
Howe spoke discourteously to \$87000
Allegation (H) Discourtesy: At Leonard and Stagg Streets in Brooklyn, Police Officer Tyler Howe spoke discourteously to \$87(2)(5)
Allegation (L) Abuse of Authority: At Leonard and Stagg Streets in Brooklyn, Police Officer
Tyler Howe threatened \$8700 with the use of force.
Allegation (M) Abuse of Authority: At Leonard and Stagg Streets in Brooklyn, Sergeant
Gregg Minardi threatened 887000 with the use of force. It is not disputed that PO Howe and Sgt. Minardi threatened to tase 887000 BWC
captured PO Howe curse at \$870.00 and \$870.00 however, they did not allege that
PO Howe spoke discourteously to them.
PO Howe's BWC at 00:38, shows PO Howe saying to "You better calm the fuck down," soon after PO Howe pushed \$87000 on his chest. At 00:51, PO Howe says
to \$87(2)(0) "back the fuck up," while appearing to reach for \$87(2)(0) arms. At
00:59, PO Howe says to say t
[inaudible]." At 01:12, PO Howe and Sgt. Minardi turn \$870.00 around, and handcuff his left arm. The officers appear to struggle to obtain \$870.00 right arm. It is unclear from the
footage what [88/200] does with his right arm. At 01:28, PO Howe says to [88/200]
"You are going to get tased if you keep doing that." Sgt. Minardi tells \$37000 to give the
officers his arm. At 01:40, PO Howe says to \$87(2)(0) "You are going to get fucking tased
bro." At 01:42, Sgt. Minardi appears to point a Taser towards 887(2)(0) midsection, and
orders right arm and handcuff him.
Sgt. Minardi's BWC (Board Review 05), at 00:25, shows PO Howe and Sgt. Minardi
turning \$87(2)(6) around, and handcuffing his left arm. \$87(2)(6) appears to put his
right arm through the rails of the metal fence, and appears to be holding onto the rails. At 00:33, PO
Howe says to 187000 "You are going to get tased if you keep doing that." At 00:34, Sgt.
Minardi appears to take his Taser out of his holster, point the Taser towards midsection, and orders (\$170,000) to remove his hand from the rails. At 00:39, (\$170,000)
appears to remove his right hand from between the rails of the fence. At 00:41, Sgt. Minardi, still



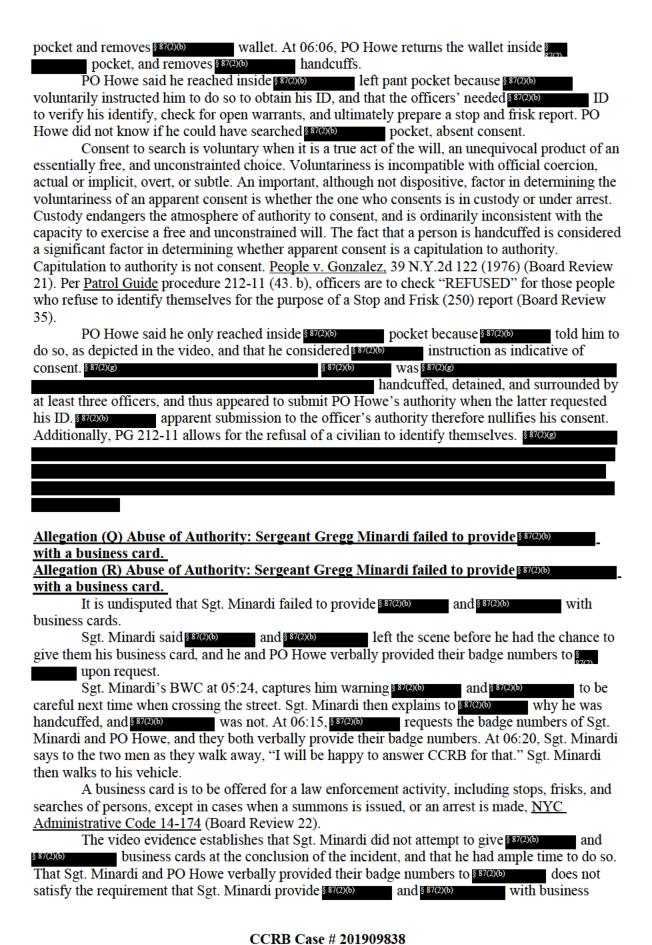
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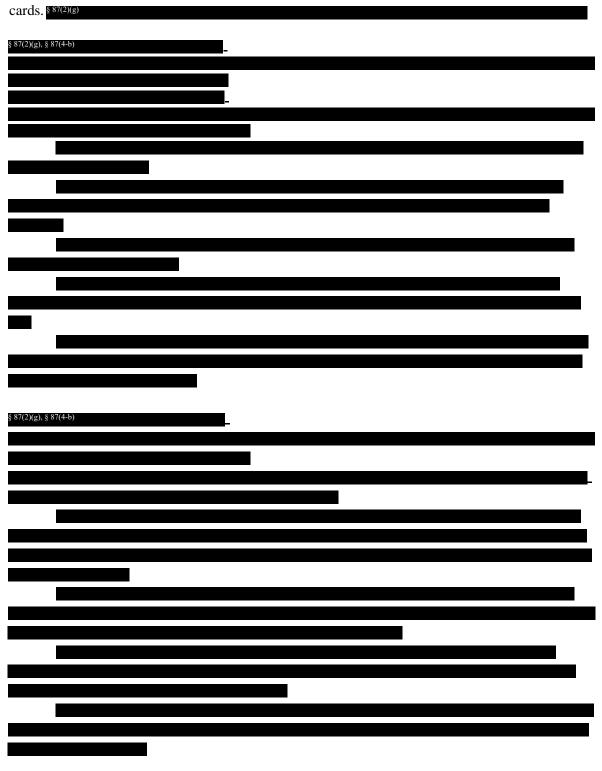
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§ 87(2)(g)
Allegation (O) Abuse of Authority: At Leonard and Stagg Streets in Brooklyn, Police Officer
Michael Crichlow searched \$87(2)(b)
It is undisputed that PO Crichlow searched \$57(2)(6)
PO Howe's BWC (Board Review 04), at 03:30, shows responding officers, PO Vukosa, PO Manetta, and PO Crichlow, approach PO Howe, Sgt. Minardi, and the three civilians.
and \$87000 are in handcuffs, but \$87000 is not cuffed. PO Crichlow, who is
standing next to \$87(2)(6) appears to reach both his hands inside \$87(2)(6) front hoodie
pocket. PO Crichlow does not appear to remove anything from \$87(2)(0) pocket.
appears to have some items in his hoodie pocket, which appear to create a big bulge. At
03:39, PO Crichlow appears to reach his hands inside size and back pants pockets. Sgt. Minardi's BWC (Board Review 05), at 02:30, captures size and back pants pockets.
he has his phone inside his hoodie pocket. At 02:50, PO Crichlow appears to reach his hand inside
right and left pants pockets. There does not appear to be any bulge in
pants pockets.
did not know why PO Crichlow searched his pockets, and denied giving PO
Crichlow permission to search his pockets.
PO Crichlow (Board Review 19) had no recollection of this incident, except that he, together with PO Manetta and PO Vukosa, responded to the scene to assist PO Howe and Sgt.
Minardi. PO Crichlow did not recall how he was alerted to the incident, did not know the
circumstances surrounding the stop, nor did he recall being provided with any information once he
arrived on scene. PO Crichlow first said he did not know why he searched \$87(2)(0) but later
said he assumed \$87(2)(6) was under arrest when he arrived on scene, and thus searched
incident to arrest. PO Crichlow did not recall being informed by any of the officers that was under arrest, but said he assumed was under arrest because
and \$87(2)(b) were handcuffed when PO Crichlow arrived on scene. PO Crichlow
provided no other reasons for searching \$87(2)(6) and did not recall observing any bulges on
§ 87(2)(6) person.
PO Howe and Sgt. Minardi denied that \$870,00 was under arrest, did not recall
informing any of the responding officers that \$87(2)(6) and \$87(2)(6) were under arrest, and did not know why PO Circhlow searched \$87(2)(6)
A search must be incident to an actual arrest, not just to probable cause that might have led
to an arrest, but did not, People v. Reid, 24 N.Y.3d 615 (2014) (Board Review 20).
§ 87(2)(g)
Allegation (P) Abuse of Authority: At Leonard and Stagg Streets in Brooklyn, Police Officer
Tyler Howe searched \$87(2)(b)
did not allege being searched by PO Howe or any other officer. PO Howe's BWC (Board Review 04) at 04:00, shows Sgt. Minardi appearing to instruct
PO Howe and PO Circhlow, who are standing next to \$87(2)(6) and \$87(2)(6) respectively,
to obtain \$2000 and \$2000 information. At 04:12, PO Howe asks \$2000
who is handcuffed, for his ID. At 04:16, \$87(2)(6) slightly turns to his left side, and says to PO
Howe, "check in this pocket right here." PO Howe appears to reach inside \$3000 left pant

CCRB Case # 201909838

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Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which \$87(2)(b) and \$87(2)(b) and \$87(2)(b) and \$87(2)(b) and \$87(2)(b) are been parties (Board Review 27 Board Review 29).
- Sgt. Minardi has been a member of service for 15 years, and has been a named subject in 15 CCRB complaints, and 42 allegations, seven of which were substantiated:

- Case #201806785 involved a substantiated frisk allegation. The Board and the NYPD both recommended and imposed formalized training, respectively.
- Case #201900335 involved two substantiated allegations of failure to provide business cards. The Board recommended formalized training, and the NYPD imposed instructions.
- Case #201901352 involved a substantiated failure to provide business card allegation. The Board recommended Command Level Instructions. The NYPD imposed instructions.
- Case #201906121 involved a substantiated failure to provide business card and threat of arrest allegations. The Board recommended Command Level Instructions for both allegations, and the NYPD imposed instructions for both allegations.
- Sgt. Minardi has a total of six allegations of failure to provide business cards, all of which were substantiated.
- PO Howe has been a member of service for four years, and has been a named subject in seven CCRB complaints, and 26 allegations, two of which were substantiated:
 - Case #201810683 involved a substantiated discourtesy word allegation. The Board recommended Command Level Instructions. The NYPD imposed instructions.
 - Case 201906121 involved a substantiated failure to provide business card allegation. The Board recommended Command Level Instructions. The NYPD imposed instructions.
 - § 87(2)(g)
- PO Crichlow has been a member of service for five years, and has been a named subject in four CCRB complaints, and 13 allegations, one of which was substantiated:
 - Case #201906121 involved a substantiated failure to provide business card allegation. The Board recommended Command Level Instructions. The NYPD imposed instructions.

O § \$7(2)(g)

Mediation. Civil and Criminal Histories

- This case was not suitable for mediation.
- As of May 6, 2020, the New York City Office of the Comptroller had no record of a Notice of Claim being filed in regards this to complaint (Board Review 30).

•	[§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

CCRB Case # 201909838

Squad No.:

Investigator:	Enoch Sowah Signature	Inv. Sowah Print Title & Name	03/24/2021 Date
Squad Leader: <u>N</u>	Igr. Joy Almeyda Signature	Print Title & Name	4.7.21 Date
Reviewer:	Signature	Print Title & Name	 Date